

Thomas D. McKeon
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August 6, 2014

Special Civil Part
Bergen County Court House
Landlord Tenant
10 Main Street
Hackensack, NJ 07601-7680

Re: Lanza v. Biodiagnostic Labs

Greetings:

Please find enclosed an original and four copies of the following:

Complaint
Summons

Please file same and return the copy marked "filed".

Thank you.

Respectfully submitted,



THOMAS D. MCKEON

TDM:eem
Enc.
Cc: Client
Biodiagnostic Labs and David Nicoll

Plaintiff or Plaintiff's Attorney Information:Name: **Thomas D. McKeon, Esq.**Address: **570 Kearny Avenue, Kearny, New Jersey 07032**Telephone No.: **(201) 997-2700****Lanza Group, LLC**

Plaintiff(s)

vs.

Biodiagnostic Laboratory, Biodiagnostic Labs, David Nicoll

Defendant(s)

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, SPECIAL CIVIL PART
BERGEN COUNTY****10 Main Street****Hackensack, NJ 07601****(201) 527-2730**DOCKET NO.: **LT-**

(to be provided by the court)

CIVIL ACTION

SummonsLandlord/Tenant - **R. 6:2-1**☒ Nonpayment
☐ Other**Defendant Information:**Name: **Biodiagnostic Laboratory, Biodiagnostic Labs, David Nicoll**

Telephone No.: _____

Address: **Suite 10, 160 Lanza Avenue, Garfield, New Jersey 07026**

NOTICE TO TENANT: The purpose of the attached complaint is to permanently remove you and your belongings from the premises. If you want the court to hear your side of the case you must appear in court on this date and time: _____ at _____ a.m./p.m., or the court may rule against you.

REPORT TO: _____

If you cannot afford an attorney, you may call the Legal Services Office of the county of your residence or the county in which the action is pending or the Legal Services of New Jersey statewide toll free hotline at 1-888-LSNJ-LAW (1-888-576-5529.) If you can afford to pay a lawyer but do not know one, you may call the Lawyer Referral Services of your local county Bar Association at **(201) 488-0032**.

You may be eligible for housing assistance. To determine your eligibility, you must immediately contact the welfare agency in your county at **216 Route 17, Rochelle Park, NJ**, telephone number **(201) 368-4200**.

If you need an interpreter or an accommodation for a disability, you must notify the court immediately.

Si no puede pagar un abogado, puede llamar a la Oficina de Servicios Legales del condado de su residencia o el condado en el que la acción está pendiente o los Servicios Legales de New Jersey de peaje en todo el estado telefónica gratuita, al 1-888-LSNJ-LAW (1-888-576-5529). Si tiene dinero para pagar a un abogado pero no conoce ninguno puede llamar a Servicios de Recomendación de Abogados (Lawyer Referral Services) del Colegio de Abogados (Bar Association) de su condado local al **(201) 488-0032**.

Es posible que pueda recibir asistencia con la vivienda si se comunica con la agencia de asistencia publica (welfare agency) de su condado al **216 Route 17, Rochelle Park, NJ**, telefono **(201) 368-4200**.

Si necesita un interprete o alguna acomodación para un impedimento fisico, tiene que notificárselo inmediatamente al tribunal.

Date: _____

Clerk of the Special Civil Part

COURT OFFICER'S RETURN OF SERVICE (FOR COURT USE ONLY)

Docket Number: _____ Date: _____ Time: _____

WM _____ WF _____ BM _____ BF _____ Other _____ HT _____ WT _____ AGE _____ Mustache _____ Beard _____ Glasses _____

NAME: _____ RELATIONSHIP: _____

Efforts Made to Personally Serve _____

Description of Premises if posted _____

I hereby certify the above to be true and accurate: _____

Special Civil Part Officer

Note: Former Appendix XI-B, consisting of model tenancy complaint and summons forms, deleted, and new tenancy summons and return of service form adopted July 12, 2002, to be effective September 3, 2002; amended July 27, 2006, to be effective September 1, 2006; amended July 23, 2010, to be effective September 1, 2010.

Attorney(s)/Pro Se: **Thomas D. McKeon, Esq.**
 Law Firm: **Thomas D. McKeon, Esq.**
 Address: **570 Kearny Avenue, Kearny, New Jersey 07032**
Attorney ID#007111981

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 Fax No.: **(201) 997-4557**
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SUPERIOR COURT OF NEW JERSEY
 LAW DIVISION, SPECIAL CIVIL PART
BERGEN COUNTY

Lanza Group, LLC

DOCKET NO.: LT - _____

CIVIL ACTION

Plaintiff(s)/Landlord(s),

vs.

**Biodiagnostic Laboratory, LLC and Biodiagnostic Labs,
 LLC and David Nicoll**

Verified Complaint

LANDLORD/TENANT

- ☒ Non-payment of Rent
☐ Other (Required Notices Attached)

Defendant(s)/Tenant(s)

Address of Rental Premises: **Suite 10, 160 Lanza Avenue, Garfield, New Jersey 07026**

Tenant's Telephone No.: _____

- The owner of record is **Lanza Group, LLC**
- Plaintiff is the owner or (check one) ☐ agent, ☐ assignee, ☐ grantee or ☐ prime tenant of the owner.
- The landlord ☐ did ☒ did not acquire ownership of the property from the tenant(s).
- The landlord ☐ has ☒ has not given the tenant(s) an option to purchase the property.
- The tenant(s) now reside(s) in and has (have) been in possession of these premises since **04/04/2011**,
 (mm/dd/yyyy)
 under (check one) ☒ written or ☐ oral agreement.
- ☐ Check here if the tenancy is subsidized pursuant to either a federal or state program or the rental unit is public housing.
- The landlord has registered the leasehold and notified tenant as required by N.J.S.A. 46:8-27.
- The amount that must be paid by the tenant(s) for these premises is \$ **2,504.00**, payable on the
1st day of each ☒ month or ☐ week in advance.

COMPLETE PARAGRAPHS 9A AND 9B IF COMPLAINT IS FOR NON-PAYMENT OF RENT

9A. There is due, unpaid and owing from tenant(s) to plaintiff/landlord(s) rent as follows:

\$ 2,504.00	Base Rent for July, 2014	(specify the week or month)
\$ 2,504.00	Base Rent for August, 2014	(specify the week or month)
\$ _____	Base Rent for _____	(specify the week or month)
\$ 125.20	Late Charge* for July, 2014	(specify the week or month)
\$ 125.20	Late Charge* for August, 2014	(specify the week or month)
\$ _____	Late Charge* for _____	(specify the week or month)
\$ 875.00	Attorney Fee*	
\$ _____	Other* (specify _____)	
\$ 6,133.40	TOTAL	<input checked="" type="checkbox"/> Check if additional rent specifics is attached

*The late charges, attorney fees and other charges are permitted to be charged as rent for purposes of this action by federal, state and local law (including rent control and rent leveling) and by the lease.

9B. The date that the next rent is due is **09/01/2014** (mm/dd/yyyy).

If this case is scheduled for trial before that date, the total amount you must pay to have this complaint dismissed is

\$ **6,133.40** . (Total from line 9A)

If this case is scheduled for trial on or after that date, the total amount you must pay to have this complaint dismissed

is \$ **8,637.40** . (Total from line 9A plus the amount of the next rent due)

These amounts do not include late fees or attorney fees for Section 8 and public housing tenants. Payment may be made to the landlord or the clerk of the court at any time before the trial date, but on the trial date payment must be made by 4:30 p.m. to get the case dismissed.

CHECK PARAGRAPHS 10 AND 11 IF THE COMPLAINT IS FOR OTHER THAN OR IN ADDITION TO NON-PAYMENT OF RENT. ATTACH ALL NOTICES TO CEASE AND NOTICES TO QUIT/DEMANDS FOR POSSESSION.

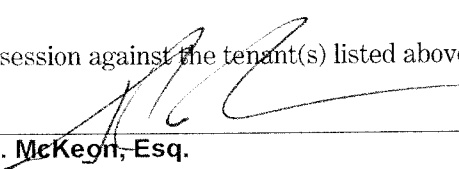
10. ☐ Landlord seeks a judgment for possession for the additional or alternative reason(s) stated in the notices attached to this complaint. STATE REASONS: _____

(Attach additional sheets if necessary.)

11. ☒ The tenant(s) has (have) not surrendered possession of the premises and tenant(s) hold(s) over and continue(s) in possession without the consent of the landlord.

WHEREFORE, plaintiff/landlord demands judgment for possession against the tenant(s) listed above, together with costs.

Dated: **August 6, 2014**


Thomas D. McKeon, Esq.
Attorney for Landlord

Attorney or Landlord Pro Se - Print name and title below line


LANDLORD VERIFICATION

1. I certify that I am the ☐ landlord, ☐ general partner of the partnership, or ☒ authorized officer of a corporation or limited liability company that owns the premises in which the tenant(s) reside(s).
2. I have read the verified complaint and the information contained in it is true and based on my personal knowledge.
3. The matter in controversy is not the subject of any other court action or arbitration proceeding, now pending or contemplated, and that no other parties should be joined in the action, except (list exceptions or indicate none):

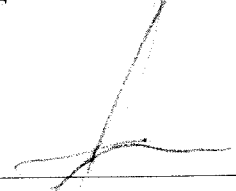
None ☒

4. I certify that confidential personal identifiers have been redacted from documents now submitted to the court and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).
5. The foregoing statements made by me are true and I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: **August 6, 2014**


Thomas D. McKeon, Esq.
Attorney for Landlord

Landlord, Partner or Officer's Signature – Print name and title below line


Jan Kwapniewski
Member of Lanza Group, LLC

Landlord, Partner or Officer's Signature – Print name and title below line